

**To:** rellani.ogumoro@bia.gov[rellani.ogumoro@bia.gov]  
**From:** Rodman, Anthony  
**Sent:** 2017-05-22T16:43:38-04:00  
**Importance:** Normal  
**Subject:** Fwd: materials for listening session  
**Received:** 2017-05-22T16:43:51-04:00  
Event memo for bears ears and reorg listening session v2.docx  
Tribal Listening Session - Reorg v2.docx  
Handout for Tribal Listening Sessions v4.docx  
Agenda Listening Sessions 5-25-17.docx  
Antiquities Act EO.pdf  
FR Notice 2017-09490.pdf  
Reorg EO.pdf

Hi Rellani,

If you have time, would you spot check these for me, especially the event memo? I'm also attaching the relevant EO's and the Fed. Register notice for reference.

Thanks,  
Morgan

----- Forwarded message -----

From: **Rodman, Anthony** <[anthony.rodman@bia.gov](mailto:anthony.rodman@bia.gov)>  
Date: Mon, May 22, 2017 at 4:29 PM  
Subject: materials for listening session  
To: Weldon Loudermilk <[Bruce.Loudermilk@bia.gov](mailto:Bruce.Loudermilk@bia.gov)>  
Cc: "Black, Michael" <[mike.black@bia.gov](mailto:mike.black@bia.gov)>, "Walters, Sarah" <[sarah\\_walters@ios.doi.gov](mailto:sarah_walters@ios.doi.gov)>, Elizabeth Appel <[elizabeth.appel@bia.gov](mailto:elizabeth.appel@bia.gov)>, "rellani.ogumoro@bia.gov" <[rellani.ogumoro@bia.gov](mailto:rellani.ogumoro@bia.gov)>

Hi Bruce,

Please find attached a briefing memo for the listening session Thursday. It has background info, Q&A, listening session format, and talking points. Also attached are handout that will be given out at the listening session.

Would you like to chat tomorrow sometime to go over the materials? I'm flexible as to timing.

Thanks,  
Morgan

--

Anthony Morgan Rodman  
Executive Director  
White House Council on Native American Affairs  
Office of the Assistant Secretary - Indian Affairs  
1849 C. St. NW, Mailstop 4146  
Washington, DC 20240  
202-208-6346 (office)  
202-573-2740 (cell)

[anthony.rodman@bia.gov](mailto:anthony.rodman@bia.gov)

<https://www.bia.gov/WhoWeAre/AS-IA/WHCNA/index.htm>

--

Anthony Morgan Rodman  
Executive Director  
White House Council on Native American Affairs  
Office of the Assistant Secretary - Indian Affairs  
1849 C. St. NW, Mailstop 4146  
Washington, DC 20240  
202-208-6346 (office)  
202-573-2740 (cell)  
[anthony.rodman@bia.gov](mailto:anthony.rodman@bia.gov)  
<https://www.bia.gov/WhoWeAre/AS-IA/WHCNA/index.htm>



22016

Federal Register / Vol. 82, No. 90 / Thursday, May 11, 2017 / Notices

Four Renewal of Projects Exempted From OMHAR, Option Five Renewal of Portfolio Reengineering Demonstration or Preservation Projects, and Option Six Opt Outs. Owners should select one of six options which are applicable to their project and should submit contract renewal on an annual basis to renew contract.

The Section 8 Renewal Guide sets forth six renewal options from which a project owner may choose when renewing their expiring Section 8 contracts.

Option One (Mark Up To Market)

Option Two (Other Contract Renewals with Current Rents at or Below Comparable Market Rents Option Three (Referral to the Office of Multifamily Housing Assistant Restructuring OHAP) Option Four (Renewal of Projects Exempted from OHAP)

Option Five (Renewal of Portfolio Reengineering Demonstration or Preservation Projects)

Option Six (Opt Outs)

*Respondents:* Business or other for profit and non profit.

*Estimated Number of Respondents:* 25,439.

*Estimated Number of Responses:* 25,439.

*Frequency of Response:* On occasion.

*Average Hours per Response:* 1 hour.

*Total Estimated Burden:* 24,680.

#### B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) The accuracy of the agency's estimate of the burden of the proposed collection of information; (3) Ways to enhance the quality, utility, and clarity of the information to be collected; and (4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

**Authority:** Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Dated: May 4, 2017.  
**Genger Charles,**  
*General Deputy Assistant Secretary for Housing.*  
 [FR Doc. 2017-09507 Filed 5-10-17; 8:45 am]  
**BILLING CODE 4210-67-P**

#### DEPARTMENT OF THE INTERIOR

##### Office of the Secretary

[Docket No. DOI 2017 0002]

#### Review of Certain National Monuments Established Since 1996; Notice of Opportunity for Public Comment

**AGENCY:** Office of the Secretary, Interior.

**ACTION:** Notice; Request for comments.

**SUMMARY:** The U.S. Department of the Interior is conducting a review of certain National Monuments designated or expanded since 1996 under the Antiquities Act of 1906 in order to implement Executive Order 13792 of April 26, 2017. The Secretary of the Interior will use the review to determine whether each designation or expansion conforms to the policy stated in the Executive Order and to formulate recommendations for Presidential actions, legislative proposals, or other appropriate actions to carry out that policy. This Notice identifies twenty seven National Monuments under review and invites comments to inform the review.

**DATES:** To ensure consideration, written comments relating to the Bears Ears National Monument must be submitted before May 26, 2017. Written comments relating to all other National Monuments must be submitted before July 10, 2017.

**ADDRESSES:** You may submit written comments online at <http://www.regulations.gov> by entering "DOI 2017 0002" in the Search bar and clicking "Search," or by mail to Monument Review, MS 1530, U.S. Department of the Interior, 1849 C Street NW., Washington, DC 20240.

**FOR FURTHER INFORMATION CONTACT:**  
 Randal Bowman, 202 208 1906,  
[RR\\_Bowman@ios.doi.gov](mailto:RR_Bowman@ios.doi.gov).

**SUPPLEMENTARY INFORMATION:** Executive Order 13792 of April 26, 2017 (82 FR 20429, May 1, 2017), directs the Secretary of the Interior to review certain National Monuments designated or expanded under the Antiquities Act of 1906, 54 U.S.C. 320301-320303 (Act). Specifically, Section 2 of the Executive Order directs the Secretary to conduct a

review of all Presidential designations or expansions of designations under the Antiquities Act made since January 1, 1996, where the designation covers more than 100,000 acres, where the designation after expansion covers more than 100,000 acres, or where the Secretary determines that the designation or expansion was made without adequate public outreach and coordination with relevant stakeholders, to determine whether each designation or expansion conforms to the policy set forth in section 1 of the order. Among other provisions, Section 1 states that designations should reflect the Act's "requirements and original objectives" and "appropriately balance the protection of landmarks, structures, and objects against the appropriate use of Federal lands and the effects on surrounding lands and communities." 82 FR 20429 (May 1, 2017).

In making the requisite determinations, the Secretary is directed to consider:

(i) The requirements and original objectives of the Act, including the Act's requirement that reservations of land not exceed "the smallest area compatible with the proper care and management of the objects to be protected";

(ii) whether designated lands are appropriately classified under the Act as "historic landmarks, historic and prehistoric structures, [or] other objects of historic or scientific interest";

(iii) the effects of a designation on the available uses of designated Federal lands, including consideration of the multiple use policy of section 102(a)(7) of the Federal Land Policy and Management Act (43 U.S.C. 1701(a)(7)), as well as the effects on the available uses of Federal lands beyond the monument boundaries;

(iv) the effects of a designation on the use and enjoyment of non Federal lands within or beyond monument boundaries;

(v) concerns of State, tribal, and local governments affected by a designation, including the economic development and fiscal condition of affected States, tribes, and localities;

(vi) the availability of Federal resources to properly manage designated areas; and

(vii) such other factors as the Secretary deems appropriate. 82 FR 20429 20430 (May 1, 2017).

The National Monuments being initially reviewed are listed in the following tables.

## NATIONAL MONUMENTS BEING INITIALLY REVIEWED PURSUANT TO CRITERIA IN EXECUTIVE ORDER 13792

Monument	Location	Year(s)	Acreage
Basin and Range .....	Nevada .....	2015	703,585
Bears Ears .....	Utah .....	2016	1,353,000
Berryessa Snow Mountain .....	California .....	2015	330,780
Canyons of the Ancients .....	Colorado .....	2000	175,160
Carrizo Plain .....	California .....	2001	204,107
Cascade Siskiyou .....	Oregon .....	2000/2017	100,000
Craters of the Moon .....	Idaho .....	1924/2000	737,525
Giant Sequoia .....	California .....	2000	327,760
Gold Butte .....	Nevada .....	2016	296,937
Grand Canyon Parashant .....	Arizona .....	2000	1,014,000
Grand Staircase Escalante .....	Utah .....	1996	1,700,000
Hanford Reach .....	Washington .....	2000	194,450.93
Ironwood Forest .....	Arizona .....	2000	128,917
Mojave Trails .....	California .....	2016	1,600,000
Organ Mountains Desert Peaks .....	New Mexico .....	2014	496,330
Rio Grande del Norte .....	New Mexico .....	2013	242,555
Sand to Snow .....	California .....	2016	154,000
San Gabriel Mountains .....	California .....	2014	346,177
Sonoran Desert .....	Arizona .....	2001	486,149
Upper Missouri River Breaks .....	Montana .....	2001	377,346
Vermilion Cliffs .....	Arizona .....	2000	279,568

## NATIONAL MONUMENTS BEING REVIEWED TO DETERMINE WHETHER THE DESIGNATION OR EXPANSION WAS MADE WITHOUT ADEQUATE PUBLIC OUTREACH AND COORDINATION WITH RELEVANT STAKEHOLDERS

Katahdin Woods and Waters .....	Maine .....	2016	87,563
---------------------------------	-------------	------	--------

The Department of the Interior seeks public comments related to: (1) Whether national monuments in addition to those listed above should be reviewed because they were designated or expanded after January 1, 1996 “without adequate public outreach and coordination with relevant stakeholders;” and (2) the application of factors (i) through (vii) to the listed national monuments or to other Presidential designations or expansions

of designations meeting the criteria of the Executive Order. With respect to factor (vii), comments should address other factors the Secretary might consider for this review.

In a separate but related process, certain Marine National Monuments will also be reviewed. As directed by section 4 of Executive Order 13795 of April 28, 2017, “Implementing an America First Offshore Energy Strategy” (82 FR 20815, May 3, 2017), the

Department of Commerce will lead the review of the Marine National Monuments in consultation with the Secretary of the Interior. To assist in that consultation, the Secretary will accept comments related to the application of factors (i) through (vii) in Executive Order 13792 as set forth above to the following Marine National Monuments:

## MARINE NATIONAL MONUMENTS BEING REVIEWED PURSUANT TO EXECUTIVE ORDERS 13795 AND 13792

Marianas Trench .....	CNMI/Pacific Ocean .....	2009	60,938,240
Northeast Canyons and Seamounts .....	Atlantic Ocean .....	2016	3,114,320
Pacific Remote Islands .....	Pacific Ocean .....	2009	55,608,320
Papahanaumokuakea .....	Hawaii .....	2006/2016	89,600,000
Rose Atoll .....	American Samoa .....	2009	8,609,045

Before including your name, address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment including your personal identifying information may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

**Authority:** E.O. 13792, 82 FR 20429 (May 1, 2017).

**James Cason,**  
*Special Assistant, Delegated the Functions, Duties, and Responsibilities of the Deputy Secretary.*

[FR Doc. 2017-09490 Filed 5-10-17; 8:45 am]

**BILLING CODE 4334-64-P**

## INTERNATIONAL TRADE COMMISSION

**[Investigation Nos. 701 TA 558 and 731 TA 1316 (Final)]**

**1-Hydroxyethylidene-1, 1-Diphosphonic Acid (“HEDP”) From China; Determinations**

On the basis of the record <sup>1</sup> developed in the subject investigations, the United States International Trade Commission

<sup>1</sup> The record is defined in sec. 207.2(f) of the Commission’s Rules of Practice and Procedure (19 CFR 207.2(f)).

## **EVENT MEMORANDUM FOR THE ASSISTANT SECRETARY – INDIAN AFFAIRS LISTENING SESSION FOR REORGANIZATION & MONUMENT DESIGNATIONS**

DATE: May 25, 2017  
 LOCATION: Affiliated Tribes of Northwest Indians, Hilton Double Tree, Portland, OR  
 TIME: 1:30pm – 5:00pm  
 FROM: Morgan Rodman, WHCNA Executive Director, AS-IA, 208-6346

### **I. PURPOSE**

This memorandum outlines the combined listening sessions at ATNI Mid-Year Convention on Thursday, May 25<sup>th</sup>, 2017. These listening sessions invite tribal leader comments on the implementation of Executive Orders 13781 *Comprehensive Plan for Reorganizing the Executive Branch* (issued March 13, 2017) and 13792 *Review of Designations Under the Antiquities Act* (April 26, 2017). There will be a total of six Reorganization listening sessions and four National Monument listening sessions through June 2017.

The listening session for the *Reorganization of the Executive Branch* will occur from 1:30pm – 3:15pm and the listening session about the *Antiquities Act* (national monument designations) will be from 3:15pm – 5:00pm.

### **II. PARTICIPANTS**

For Reorganization of Executive Branch listening session:

- Bruce Loudermilk, BIA Director
- Morgan Rodman, Indian Affairs
- OST (invited)
- BIE (invited)

For National Monument listening session:

- Bruce Loudermilk, BIA Director
- Morgan Rodman, Indian Affairs
- Jody Weil, Acting State Director for Oregon, BLM,
- USDA-FS (indicated interest in sending rep.)

### **III. BACKGROUND**

- **EO 13781:** For the *Reorganizing* EO, the head of each agency must submit to the Director of OMB a proposed plan to reorganize the agency, if appropriate, in order to improve the efficiency, effectiveness, and accountability of the agency. The EO calls for soliciting input and suggestions on improvements in the organization, and tribal leader input is critical to any proposed changes to the organization.
- **EO 13792:** The *Antiquities Act* EO requires the Secretary of Interior to review national monuments that have been designated or expanded since January 1, 1996, where the

designation covers more than 100,000 acres or where the Secretary determines that the designation or expansion was made without adequate public outreach and coordination with relevant stakeholders. 27 monuments have been designated for review, including Bears Ears.

#### **IV. AGENDA**

See attached.

#### **V. FORMAT**

**1:30pm – 1:35pm**

Tribal leader offers opening remarks.

**1:35pm – 1:40pm**

Bruce Loudermilk calls Listening Session to order, outlines format and parameters of session, explains the session's purpose, and asks for quick introductions of the panel.

**1:40pm – 1:50pm**

Panel introduces themselves.

**1:50pm – 3:05pm**

Comments from tribal leaders on the Reorganization of Indian Affairs, BIA, BIE.

**3:05pm – 3:15pm**

BREAK

**3:15pm – 3:25pm**

Tribal leader offers opening remarks.

**3:25pm – 3:35pm**

Mr. Loudermilk signals the transition to the Bears Ears and National Monument discussion and new panelists introduce themselves.

**3:35pm – 4:50pm**

Comments from tribal leaders on the National Monument review and Bears Ears.

**4:55pm – 5:00pm**

Mr. Loudermilk offers summarizing remarks and next steps.

#### **VI. HOT TOPICS**

- **Budget Questions:** Tribal leaders may be concerned about the details of the 2018 budget and how cuts would impact Indian country programs and services. Dozens of tribal leaders testified before the House Appropriation Subcommittee on Interior, Environment, and Related Agencies on May 16-17 to speak against budget cuts to Indian programs. In the President's original FY18 budget request, DOI overall had a 12 percent reduction in funding. By the time of the listening session, the budget details may have been shared.

*Possible response to general budget questions:* Tribal engagement is key to ensuring tribal priorities are met and that the trust responsibility is upheld. Make your concerns known to us and to Congress. While the new budget details are being analyzed now, your strong tribal leader voices do factor heavily into the budgetary outcomes and the impact for Indian country. We'll have more discussions about the budget moving forward, and today's comments are relevant to the related organizational questions about Indian affairs.

- **Bears Ears National Monument:** President Obama proclaimed the Bears Ears Monument in Utah on December 28, 2016, after tribes petitioned for national monument designation in 2015. Bears Ears has significant culture, historical, and archeological value to tribes in the area. The Proclamation designated 1.3 million acres of federal land as a monument, while also creating a) an advisory committee to advise the Secretaries of Interior and Agriculture on the development of a management plan for the monument and b) a Bears Ears Commission with one elected leader each from the Hopi Nation, Navajo Nation, Ute Mountain Ute Tribe, Ute Indian Tribe of the Uintah Ouray, and Zuni Tribe; the Commission has been formed.

On April 26, 2017, President Trump issued EO 13792, which calls for reviews of certain monuments since 1996, including Bears Ears specifically. By June 10, 2017, the Secretary of the Interior is to submit an interim report to the President with recommendations on Bears Ears and other monuments the Secretary deems appropriate. A final report is due to the President on August 24, 2017.

Possible Q&A's:

- *Why has no formal consultation been scheduled for the Reorganization of Indian Affairs?*  
The Dept. has no draft plan or idea about reorganization of Indian Affairs regarding EO 13781. The goal of these listening sessions is to hear from tribal leaders first before any plans or ideas are formed. Tribal leader comments received during listening sessions will inform any future consultations on any reorganization efforts of Indian Affairs.
- *Why are you asking for Bears Ears comments by May 26 and other comments due by July 10?* The White House EO specifically references Bears Ears in Section 2(d), in that the Secretary must submit an interim report to the President on recommendations for the Bears Ears monument. Therefore, comments need to be received early so that they'll have maximum impact.
- *Why didn't you use tribal consultation for this process?*  
Formal tribal consultation requires notice at least thirty days in advance of the consultation. Given the White House issued the Executive Order on April 26, 2017, and a report from the Secretary to the President is due on June 10, 2017, there was not sufficient time for formal consultation so DOI is organizing listening sessions to ensure that tribal leader comments are considered.

- *How will the comments be evaluated? Who's doing the evaluating?*  
DOI's Office of Regulatory Affairs and Collaborative Action (RACA) is compiling the comments for consideration by Indian Affairs, BLM, and the Secretary's office.
- *Why did the EO specify Bears Ears?*  
The White House made the determination in the EO to specify Bears Ears.
- *Why is January 1, 1996, specified in the Executive Order on the Antiquities Act/National Monument designations?*  
The White House made the determination in the EO to specify that date.
- *Will we see a copy of the report the Secretary submits to the President?*  
We're happy to take your comments on whether that should be made public.
- *Why didn't you go to my location for listening sessions?*  
The listening sessions for the monument discussions are located in the regions where the monuments are. The listening sessions for the reorganization discussions are located in places where the most tribal leaders could be reached.
- *How would the Proclamation be repealed or amended if such an action has never been done before?*  
Your input on whether that should happen is appreciated and sought. Please share your thoughts on what course of action the Administration should take.

## VII. TALKING POINTS

### Welcome

- Bruce Loudermilk, Director of BIA
- Thank tribal leaders for taking time to be here
- Important matters to discuss today -- matters that need your guidance, leadership, and wisdom
- You all know many of us on the panel today, and they'll introduce themselves soon
  - All senior-level career employees who've worked alongside you for many years
  - We're here to listen to you and work with you on the questions being presented by the Trump Administration
- I'll provide an overview of today's listening sessions and then ask colleagues to introduce themselves

## Purpose of Listening Sessions

- The Trump Administration has issued two Executive Orders we'd like your input on
- The EO's instruct DOI and other Depts. to take certain actions, and it's critical we get your insight for their implementation
- First, we'll be discussing Executive Order 13781- *Comprehensive Plan for Reorganizing the Executive Branch* until 3:15pm, then we'll switch focus to Executive Order 13792 *Review of Designations Under the Antiquities Act*, dealing with National Monument designations and Bears Ears

## The Mechanics of Today's Listening Sessions

- Today's listening session is for **tribal leader** input and comment as part of the nation-to-nation relationship between tribes and the federal govt.
- We're here primarily to listen and ensure your views are considered and part of the record for the Administration's steps moving forward
- Today is not the only listening session -- There will be a total of six Reorganization listening sessions and four National Monument listening sessions through June.
- The listening sessions will be recorded and transcribed.
  - Transcriptions will be made available at [www.bia.gov](http://www.bia.gov)
- Transcripts and written comments will be analyzed and recommendations reported to the Assistant Secretary – Indian Affairs and the Secretary of the Interior, who will then make reports and recommendations to the White House
- Again, the first listening session today will focus on the reorganization of the Executive branch, and at 3:15pm I'll transition us to the National Monument and Bears Ears discussion

## Executive Order 13781 – *Comprehensive Plan for Reorganizing the Executive Branch*

- Issued on March 13, 2017, and directs agency heads to send proposals to the OMB Director for the reorganization of their agencies, *if appropriate*, in order to improve the efficiency, effectiveness, and accountability of that agency.
  - More information about the EO is on the handouts provided.
- Some of the questions that may be helpful to today's discussion are:
  - Do the structures of the Department of the Interior and Indian Affairs currently meet Tribes' needs? (See organization charts)

- What changes to the structures (if any) do you recommend? Why?
  - What structure would improve efficiency (in other words, would promote efficient delivery of services)?
  - What structure would improve effectiveness (in other words, would better meet Tribes' needs and promote self-determination and self-governance)?
  - What structure would make the Department and Indian Affairs more accountable?

**[Introduce panelists for brief introductions and overview. Once they're finished, open up for tribal leader comments]**

**[Break from 3:05pm – 3:15pm]**

**[Resume at 3:15pm and transition to discussion on Executive Order 13792]**

### **Executive Order 13792 – Review of Designations Under the Antiquities Act**

- Executive Order 13792 *Review of Designations Under the Antiquities Act* was issued by President Trump on April 26, 2017, and requires:
  - the Secretary of the Interior to review national monuments that have been designated or expanded since January 1, 1996,
    - where the designation covers more than 100,000 acres
    - or where the Secretary determines that the designation or expansion was made without adequate public outreach and coordination with relevant stakeholders.
- 27 monuments have been identified by DOI for review, and they are listed in the handouts provided at the door.
- The Secretary must use several factors in evaluating the National Monuments to determine whether each designation or expansion conforms to the policy of Executive Order 13792.
  - The policy is described in Section 1 of the Executive Order.
  - The factors are listed on the handout for today.
- KEY DEADLINES:
  - The Secretary must then make recommendations to the President on any Presidential actions, legislative proposals, or other appropriate actions to carry out the policy of Executive Order 13792.

- The Secretary's interim report to the President is due by June 10 and must make recommendations on Bears Ears
- The Secretary's final report is due to the President by August 24, 2017, summarizing the findings of the review and providing recommendations.
- Written comments are also being accepted for the National Monument discussion:
  - Deadline for Bears Ears comments is May 26 and for all other monuments until July 10.
  - Tribal leaders can send their written comments to [consultation@bia.gov](mailto:consultation@bia.gov). Tribal leaders and the general public can also submit online at [www.regulations.gov](http://www.regulations.gov). Please see handout at the front for further details.
- Questions to Help Guide the Conversation
  - Are there any other monuments in addition to the 27 currently being reviewed that should also be reviewed because they were designated after January 1, 1996, without adequate public outreach and coordination with relevant stakeholders?
  - What are your comments or views on the application of the seven factors listed in the Executive Order 13792 that the Secretary of the Interior is to use in reviewing the 27 monument designations? Other factors that should be considered?

**[Introduce any new panelists and then open up for comment]**

### **Closing Comments**

- Thank everyone for their participation
- This is part of a continuous dialogue with tribes
- Recap some of the major points from both sessions

## **VIII. ATTACHMENTS**

- Listening Session Sheet for Executive Orders 13781 *Comprehensive Plan for Reorganizing the Executive Branch* (issued March 13, 2017)
- Listening Session Sheet for 13792 *Review of Designations Under the Antiquities Act* (April 26, 2017)
- EO 13781
- EO 13792
- Federal Register Notice for Review of Certain National Monuments Established Since 1996; Notice of Opportunity for Public Comment



Federal Register  
Vol. 82, No. 50  
Thursday, March 16, 2017

## Presidential Documents

Title 3

Executive Order 13781 of March 13, 2017

The President

Comprehensive Plan for Reorganizing the Executive Branch

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

**Section 1. Purpose.** This order is intended to improve the efficiency, effectiveness, and accountability of the executive branch by directing the Director of the Office of Management and Budget (Director) to propose a plan to reorganize governmental functions and eliminate unnecessary agencies (as defined in section 551(1) of title 5, United States Code), components of agencies, and agency programs.

**Sec. 2. Proposed Plan to Improve the Efficiency, Effectiveness, and Accountability of Federal Agencies, Including, as Appropriate, to Eliminate or Reorganize Unnecessary or Redundant Federal Agencies.** (a) Within 180 days of the date of this order, the head of each agency shall submit to the Director a proposed plan to reorganize the agency, if appropriate, in order to improve the efficiency, effectiveness, and accountability of that agency.

(b) The Director shall publish a notice in the *Federal Register* inviting the public to suggest improvements in the organization and functioning of the executive branch and shall consider the suggestions when formulating the proposed plan described in subsection (c) of this section.

(c) Within 180 days after the closing date for the submission of suggestions pursuant to subsection (b) of this section, the Director shall submit to the President a proposed plan to reorganize the executive branch in order to improve the efficiency, effectiveness, and accountability of agencies. The proposed plan shall include, as appropriate, recommendations to eliminate unnecessary agencies, components of agencies, and agency programs, and to merge functions. The proposed plan shall include recommendations for any legislation or administrative measures necessary to achieve the proposed reorganization.

(d) In developing the proposed plan described in subsection (c) of this section, the Director shall consider, in addition to any other relevant factors:

(i) whether some or all of the functions of an agency, a component, or a program are appropriate for the Federal Government or would be better left to State or local governments or to the private sector through free enterprise;

(ii) whether some or all of the functions of an agency, a component, or a program are redundant, including with those of another agency, component, or program;

(iii) whether certain administrative capabilities necessary for operating an agency, a component, or a program are redundant with those of another agency, component, or program;

(iv) whether the costs of continuing to operate an agency, a component, or a program are justified by the public benefits it provides; and

(v) the costs of shutting down or merging agencies, components, or programs, including the costs of addressing the equities of affected agency staff.

(e) In developing the proposed plan described in subsection (c) of this section, the Director shall consult with the head of each agency and, consistent with applicable law, with persons or entities outside the Federal

**13960**      **Federal Register** / Vol. 82, No. 50 / Thursday, March 16, 2017 / Presidential Documents

---

Government with relevant expertise in organizational structure and management.

**Sec. 3. General Provisions.** (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

A handwritten signature in black ink, appearing to be a stylized 'J' or a similar character, is positioned here.

THE WHITE HOUSE,  
*March 13, 2017.*

[FR Doc. 2017-05399  
Filed 3-15-17; 8:45 am]  
Billing code 3295-F7-P

Tribal Listening Session  
**E.O. 13792 Review of Designations Under the Antiquities Act**



Office of the Assistant Secretary Indian Affairs

**Why are these listening sessions being held?**

In order to implement Executive Order 13792 (April 26, 2017), the Department of Interior (DOI) seeks tribal input to inform DOI's reviews of 27 National Monuments designated or expanded since 1996 under the Antiquities Act of 1906. The Secretary of Interior will use the reviews to determine whether each designation or expansion conforms to the policy stated in the Executive Order and to formulate recommendations for Presidential actions, legislative proposals, or other appropriate actions to carry out that policy.

In addition to comments at the listening sessions, written comments are being accepted until May 26, 2016, for the Bears Ears Monument, and for all other monuments until July 10, 2017. Written comments may be submitted by email to [consultation@bia.gov](mailto:consultation@bia.gov). The Department is also accepting comments from the general public online at <http://www.regulations.gov> by entering "DOI-2017-0002" in the Search bar and clicking "Search," or by mail to Monument Review, MS-1530, U.S. Department of Interior, 1849 C Street NW, Washington, DC 20240.

**What is Executive Order 13792 *Review of Designations Under the Antiquities Act*?**

E.O. 13792 requires that the Secretary of the Interior review national monuments that have been designated or expanded since January 1, 1996, where the designation covers more than 100,000 acres or where the Secretary determines that the designation or expansion was made without adequate public outreach and coordination with relevant stakeholders.

In making the determinations about the monuments, the Secretary is directed to consider:

- i. the requirements and original objectives of the Antiquities Act, including the Act's requirement that reservations of land not exceed "the smallest area compatible with the proper care and management of the objects to be protected;"
- ii. whether designated lands are appropriately classified under the Act as "historic landmarks, historic and prehistoric structures, [or] other objects of historic or scientific interest;"
- iii. the effects of a designation on the available uses of designated Federal lands, including consideration of the multiple-use policy of section 102(a)(7) of the Federal Land Policy and Management Act (43 U.S.C. 1701(a)(7)), as well as the effects on the available uses of Federal lands beyond the monument boundaries;
- iv. the effects of a designation on the use and enjoyment of non-Federal lands within or beyond monument boundaries;

- v. concerns of state, tribal, and local governments affected by a designation, including the economic development and fiscal condition of affected states, tribes, and localities;
- vi. the availability of federal resources to properly manage designated areas; and
- vii. such other factors as the Secretary deems appropriate.

**How will the information from the listening sessions be gathered and utilized?**

- ✓ Meetings will be recorded and transcribed.
- ✓ Comments will be collected in writing.
- ✓ Copies of the transcripts will be available at [www.bia.gov](http://www.bia.gov).
- ✓ Your comments, ideas, and suggestions will be used by DOI in its review of the 27 monument designations and the subsequent recommendations to the President.

**What will happen after these listening sessions?**

- ✓ Transcripts and written comments will be analyzed and recommendations reported to the Assistant Secretary – Indian Affairs and the Secretary of the Interior.
- ✓ The Secretary will provide an interim report to the President summarizing the findings of the review with respect to Proclamation 9558 (Establishment of the Bears Ears National Monument) and other monument designations the Secretary determines appropriate for inclusion and provide recommendations for such Presidential actions, legislative proposals, or other actions within 45 days of the date of the Executive Order (June 10, 2017).
- ✓ The Secretary will provide a final report to the President summarizing the findings of the review and provide recommendations for such Presidential actions, legislative proposals, or other actions within 120 days of the date of the Executive Order (August 24, 2017).

**Questions to help guide the conversation:**

1. Are there other monuments in addition to the 27 being currently reviewed that should also be reviewed because they were designated after January 1, 1996, without adequate public outreach and coordination with relevant stakeholders?
2. Comments on the application of the seven factors (i-vii) listed in the Executive Order 13792 that the Secretary of the Interior is to use in reviewing the 27 monument designations. Please share other factors that should be considered.



## Presidential Documents

### Executive Order 13792 of April 26, 2017

#### Review of Designations Under the Antiquities Act

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in recognition of the importance of the Nation's wealth of natural resources to American workers and the American economy, it is hereby ordered as follows:

**Section 1. Policy.** Designations of national monuments under the Antiquities Act of 1906, recently recodified at sections 320301 to 320303 of title 54, United States Code (the "Antiquities Act" or "Act"), have a substantial impact on the management of Federal lands and the use and enjoyment of neighboring lands. Such designations are a means of stewarding America's natural resources, protecting America's natural beauty, and preserving America's historic places. Monument designations that result from a lack of public outreach and proper coordination with State, tribal, and local officials and other relevant stakeholders may also create barriers to achieving energy independence, restrict public access to and use of Federal lands, burden State, tribal, and local governments, and otherwise curtail economic growth. Designations should be made in accordance with the requirements and original objectives of the Act and appropriately balance the protection of landmarks, structures, and objects against the appropriate use of Federal lands and the effects on surrounding lands and communities.

**Sec. 2. Review of National Monument Designations.** (a) The Secretary of the Interior (Secretary) shall conduct a review of all Presidential designations or expansions of designations under the Antiquities Act made since January 1, 1996, where the designation covers more than 100,000 acres, where the designation after expansion covers more than 100,000 acres, or where the Secretary determines that the designation or expansion was made without adequate public outreach and coordination with relevant stakeholders, to determine whether each designation or expansion conforms to the policy set forth in section 1 of this order. In making those determinations, the Secretary shall consider:

- (i) the requirements and original objectives of the Act, including the Act's requirement that reservations of land not exceed "the smallest area compatible with the proper care and management of the objects to be protected";
- (ii) whether designated lands are appropriately classified under the Act as "historic landmarks, historic and prehistoric structures, [or] other objects of historic or scientific interest";
- (iii) the effects of a designation on the available uses of designated Federal lands, including consideration of the multiple-use policy of section 102(a)(7) of the Federal Land Policy and Management Act (43 U.S.C. 1701(a)(7)), as well as the effects on the available uses of Federal lands beyond the monument boundaries;
- (iv) the effects of a designation on the use and enjoyment of non-Federal lands within or beyond monument boundaries;
- (v) concerns of State, tribal, and local governments affected by a designation, including the economic development and fiscal condition of affected States, tribes, and localities;
- (vi) the availability of Federal resources to properly manage designated areas; and

(vii) such other factors as the Secretary deems appropriate.

(b) In conducting the review described in subsection (a) of this section, the Secretary shall consult and coordinate with, as appropriate, the Secretary of Defense, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Energy, the Secretary of Homeland Security, and the heads of any other executive departments or agencies concerned with areas designated under the Act.

(c) In conducting the review described in subsection (a) of this section, the Secretary shall, as appropriate, consult and coordinate with the Governors of States affected by monument designations or other relevant officials of affected State, tribal, and local governments.

(d) Within 45 days of the date of this order, the Secretary shall provide an interim report to the President, through the Director of the Office of Management and Budget, the Assistant to the President for Economic Policy, the Assistant to the President for Domestic Policy, and the Chairman of the Council on Environmental Quality, summarizing the findings of the review described in subsection (a) of this section with respect to Proclamation 9558 of December 28, 2016 (Establishment of the Bears Ears National Monument), and such other designations as the Secretary determines to be appropriate for inclusion in the interim report. For those designations, the interim report shall include recommendations for such Presidential actions, legislative proposals, or other actions consistent with law as the Secretary may consider appropriate to carry out the policy set forth in section 1 of this order.

(e) Within 120 days of the date of this order, the Secretary shall provide a final report to the President, through the Director of the Office of Management and Budget, the Assistant to the President for Economic Policy, the Assistant to the President for Domestic Policy, and the Chairman of the Council on Environmental Quality, summarizing the findings of the review described in subsection (a) of this section. The final report shall include recommendations for such Presidential actions, legislative proposals, or other actions consistent with law as the Secretary may consider appropriate to carry out the policy set forth in section 1 of this order.

**Sec. 3. General Provisions.** (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

A handwritten signature in black ink, appearing to be a stylized 'J' or a similar character, is written over a series of short, vertical, wavy lines that resemble a barcode or a series of tick marks.

THE WHITE HOUSE,  
*April 26, 2017.*

[FR Doc. 2017-08908  
Filed 4-28-17; 11:15 am]  
Billing code 3295-F7-P

## AGENDA

May 25, 2017

1:30pm – 5:00pm

DOI – Indian Affairs Listening Sessions on Reorganization of the Executive Branch (E.O. 13781) and Review of Designations Under the Antiquities Act (E.O. 13792)

Affiliated Tribes of Northwest Indians (ATNI) Mid-Year Convention 2017  
Hilton DoubleTree Lloyd Center  
Portland, OR

- I. Introductions and Opening Remarks  
1:30pm – 1:50pm
- II. Comments on Reorganization of Executive Branch  
1:50pm – 3:05pm
- III. Break  
3:05pm – 3:15pm
- IV. Comments on Review of Designations Under the Antiquities Act  
3:15pm – 4:50pm
- V. Closing Comments  
4:50pm – 5:00pm

**Tribal Listening Session**  
**E.O. 13781 - Reorganization of the Executive Branch**



Office of the Assistant Secretary Indian Affairs

**Why are these listening sessions being held?**

Executive Order 13781, *Comprehensive Plan for Reorganizing the Executive Branch* (issued March 13, 2017) requires:

Within 180 days [September 9, 2017], the head of each agency shall submit to the Director [of OMB] a proposed plan to reorganize the agency, if appropriate, in order to improve the efficiency, effectiveness, and accountability of that agency.

The E.O. calls for soliciting input/suggestions on improvements in the organization

- ➔ Tribal leader input is critical to the development of any proposed changes to the organization.

**How will the information be gathered and utilized?**

- ✓ Meetings will be recorded and transcribed
- ✓ Comments will be collected in writing
- ✓ Copies of the transcripts will be available at [www.bia.gov](http://www.bia.gov)
- ✓ Your comments, ideas, and suggestions will be used to guide the Administration in discussing how Indian Affairs can meet the needs of Indian Country in the future

**What will happen after these meetings?**

- ✓ Transcripts and written comments will be analyzed and recommendations reported to the Assistant Secretary – Indian Affairs and the Secretary of the Interior
- ✓ The Secretary will submit a plan to reorganize Interior to OMB by September 9, 2017
- ✓ OMB will publish a Federal Register notice inviting public comment
- ✓ Within 180 days of the comment deadline stated in the Federal Register, OMB will submit a proposed plan to reorganize the executive branch to the President.

**Topics we would like to discuss:**

1. Does the structure of the Department of the Interior and Indian Affairs currently meet Tribes' needs? (See organization charts)
2. What changes to the structure (if any) do you recommend? Why?
  - a. What structure would improve efficiency (e.g., would promote efficient delivery of services)?
  - b. What structure would improve effectiveness (e.g., would better meet Tribes' needs and promote self-determination and self-governance)?
  - c. What structure would make the Department and Indian Affairs more accountable?

## Organization of Indian Affairs at the U.S. Department of the Interior

The purpose of this informational sheet is to provide background on the organizational structure and management within Indian Affairs (IA) at the U.S. Department of the Interior.

**Assistant Secretary** - Indian Affairs is led by the Assistant Secretary – Indian Affairs (AS-IA), who provides overall leadership and direction for all organizational components of Indian Affairs nationwide. Within the parameters established by the Congress and the Executive Branch, the primary responsibilities of AS-IA are to advise the Secretary of the Interior on Indian Affairs policy issues, communicate policy to and oversee the programs of the BIA and the BIE, provide leadership in consultations with tribes, and serve as the Department official for intra- and interdepartmental coordination and liaison within the Executive Branch on Indian matters.

**Principal Deputy Assistant Secretary** - PDAS serves as the first assistant and principal advisor to the Assistant Secretary and has full authority to act on behalf of or in the absence of the Assistant Secretary. The BIA and BIE Directors, as well as the Chief of Staff, the Deputy Assistant Secretary-Policy and Economic Development and the Deputy Assistant Secretary-Management report directly to the Principal Deputy.

**Deputy Assistant Secretary - Management** – DAS-M oversees the Office of the Chief Financial Officer; the Office of Facilities, Property and Safety Management; the Office of Budget and Performance Management; the Office of Human Capital; and the Assistant Director Information Resources. DAS-M provides oversight of budget, acquisition, property, accounting, fiscal services, information technology, planning, facilities operations, and human resources.

**Deputy Assistant Secretary - Policy and Economic Development** – DAS-PED oversees the Office of Indian Energy and Economic Development, and the Office of Self-Governance, as well as administers programs pertaining to economic development, energy and mineral development, capital investment, and self-governance activities.

**Director of the Bureau of Indian Education** – the BIE Director has line authority over the education resource centers stationed throughout the country and two post-secondary schools. The BIE supports the operation of day schools, boarding schools, and dormitories, including housing some Indian children who attend public schools. Programs administered by BIE or through tribes include an education system consisting of 183 schools and dormitories located in 23 states for approximately 41,300 individual elementary and secondary students, and 32 tribal colleges, universities, tribal technical colleges, and post-secondary schools.

**Director of the Bureau of Indian Affairs** – the BIA Director has line authority over all Regional and Agency offices within the BIA (see Page 2). The Director provides program direction and support to the BIA's four centralized offices: Field Operations, Indian Services, Trust Services, and Justice Services. The BIA Director reports to the Principal Deputy Assistant Secretary and provides leadership and direction for all matters relating to policies and procedures for the BIA. Some functions of the BIA include taking land-into-trust, implementing land and water claim settlements, as well as the replacement and repair of BIE schools.

The **Bureau of Indian Affairs** (BIA) is part of Indian Affairs and is organized into four centralized Offices, has twelve regional offices, and eighty-six agencies and field offices.

The BIA has four centralized offices that are each led by a Deputy Bureau Director in Washington, D.C., who reports to the BIA Director. The BIA's four centralized offices are:

1. The **Office of Field Operations** is led by the Deputy Bureau Director for Field Operations. This office provides management and direction to the regional offices, agencies and field offices nationwide. This office monitors and evaluates the performance of the regional and field offices as well as provides specialized and programmatic reviews to field offices and Tribes.
  - a. The **BIA Regional Directors** report to the Deputy Bureau Director-Field Operations. The RDs provide overall leadership, direction and technical assistance in the implementation of BIA programs in each region nationwide. Each Regional Director is supported by a Deputy Regional Director for Trust Services and a Deputy Regional Director for Indian Services.
2. The **Office of Justice Services (OJS)** is led by the Deputy Bureau Director for Justice Services. OJS is responsible for the investigation of crimes that occur in Indian country. OJS operates law enforcement and detention services, the Indian Police Academy, provides emergency tactical response teams to reservations requiring assistance, or communities threatened with disruptions or civil disorder. OJS also administers tribal courts and justice services programs.
3. The **Office of Trust Services**, *administered by the Deputy Bureau Director for Trust Services*, executes the management and protection of trust and restricted lands, natural resources, and real estate services. The office provides land related functions to Indian trust owners including acquisition, disposal, rights-of-way, leasing and sales, and assists them in the management, development, and protection of trust land and natural resource assets. Programs administered include real estate services; land title and records; probate; natural resources; forestry and wildland fire management; irrigation, power and safety of dams.
4. The **Office of Indian Services (OIS)**, managed by the Deputy Bureau Director for Indian Services, is charged with providing and promoting safe and quality living environments, strong communities, self-sufficiency and individual rights for Tribal people and Tribal governments. OIS administers social services, housing programs, and the maintenance of BIA's transportation infrastructure. OIS is composed of five divisions which include: Human Services; Indian Self-Determination; Tribal Government Services; Transportation; and Workforce Development.